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PATENTS
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **FRANK KRONZER**)
) Art Unit: 1771
Serial No.: **09/614,829**)
) Examiner: **N. Torres-Velazquez**
Filed: **July 12, 2000**)
)
For: **HEAT TRANSFER MATERIAL HAVING**)
 MELTABLE LAYERS SEPARATED BY A)
 RELEASE COATING LAYER)

RESTRICTION RESPONSE

Assistant Commissioner for Patents
Washington, DC 20231

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Sir:

Responsive to the Restriction/Election mailed December 19, 2001 and the Notice mailed May 3, 2002, Applicants request further examination in light of the following remarks. A request for a one month extension-of-time is also enclosed.

REMARKS

Claims 1-20 are pending in the present application. Applicants respectfully request reconsideration of the present claims in view of the following remarks.

I. Formal Matters:

Restriction Requirement

The Office Action requires restriction between the following groups of claims:

Group I: Claims 1-14 drawn to a heat transfer material; and

Group II: Claims 15-20 drawn to a method for forming a coating on a substrate.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on June 27, 2002.

Theodore M. Green - Reg. No. 41,801

Applicants elect, *with traverse*, Group I, Claims 1-14, drawn to a heat transfer material, reserving the right to pursue claims 15-20 in a continuation patent application, if necessary.

Applicants respectfully request reconsideration of the above restriction requirement given that the above groups of claims are so interrelated that prosecution of the claims would not unduly burden the Examiner.

Applicants respectfully submit that each group of claims features a heat transfer material having a first and second meltable layers with a release coating separating the two meltable layers. As the methods use this material in forming in the coating on the substrate, Applicants respectfully submit that a finding of allowability of the heat transfer material would necessitate the allowance of the method claims as well for using a patentable article. Thus, Applicants submit that the search and examination of the entire application could be made without serious burden. See MPEP § 803 in which it is stated that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct and independent inventions."

Accordingly, Applicants respectfully request withdrawal of the restriction requirement and examination of claims 1-20 as a single group.

Election of Species

The Examiner also required an election of species in regards to the base substrate. Applicants respectfully elect the species "paper" as the base substrate.

II. Conclusion:

For at least the reasons given above, Applicants submit that a search for the subject matter of claims 1-20 could be made without serious burden to the Examiner. Accordingly, Applicants respectfully request that the restriction/election requirement be withdrawn.

The foregoing is submitted as a full and complete Response to the Restriction Requirement mailed December 19, 2001 and the Notice mailed May 3, 2002, and early and favorable consideration of the claims is requested.

Should the Examiner believe that anything further is necessary in order to place the application in better condition for allowance, the Examiner is respectfully requested to contact Applicants' representative at the telephone number listed below.

A check in the amount of \$110 is included for a one month extension-of-time. No additional fees are believed due; however, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 11-0855.

Respectfully submitted,

KILPATRICK STOCKTON LLP



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